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UNCLAS SECTION 01 OF 02 HANOI 002617

SIPDIS

STATE FOR L/EAP JIM HERGEN, EAP/K, EAP/RSP AND EAP/BCLTV

E.O. 12958: N/A

TAGS: PHUM PGOV PREF VM KO HUMANR DPRK

SUBJECT: DPRK REFUGEE INCIDENTS IN VIETNAM

1. (U) Summary: Vietnam remains a link in the overland route taken by North Korean refugees on the way to Cambodia and Bangkok, as shown by two recent DPRK refugee-related incidents at USCG Ho Chi Minh City (septels). End summary.

US MISSION ENCOUNTERS WITH DPRK "REFUGEES"

2. (SBU) A group of seven North Korean refugees recently contacted an AMCIT couple in Ho Chi Minh City, who spoke with visiting Hanoi Poloff on October 10. The couple, along with a South Korean tourist they had "met by chance" in their guest house, said they had already visited the South Korean consulate to see about getting the reportedly destitute and lost North Koreans some assistance. They were told by ROK officials the North Koreans would "have to wait" because there were "many" North Koreans in Ho Chi Minh City looking for assistance already.

3. (SBU) Poloff advised the AMCIT couple and their South Korean companion that the only representative of the UNHCR in Vietnam was located in Hanoi, and that the GVN had in the past deported undocumented migrants claiming to be North Koreans who attempted to seek refugee status in Hanoi, or who had invaded third-country Embassies trying to claim asylum there. Poloff also warned the couple that participating in any illegal activity by or on behalf of the North Koreans would put them at risk of arrest by the Vietnamese police. The three travelers left the Consulate General with the declared intention of trying to find a Korean business, church, or charity that could provide assistance.

4. (SBU) In another incident, at 0130 on October 14, a man claiming to be a North Korean national attempted to scale the fence at ConGen HCMC. The attempt was unsuccessful and the subject was led away by police. It is not known if there was any relationship between the attempt and the visit to ConGen HCMC by the AMCIT couple above. (Details to be provided SEPTTEL from HCMC.)

VIETNAM ONLY A TRANSIT STOP FOR NORTH KOREANS?

5. (SBU) South Korean and Japanese Embassy officials, representatives from the International Organization for Migration, and major western news outlets such as the Washington Post confirm that Vietnam is on the overland route often taken by North Korean refugees fleeing south. According to the Washington Post, the North Koreans pass illegally through Vietnam en route to Cambodia or Thailand. From there, according to ROK Pol/C Baek, they can often connect with an international refugee organization or a Korean charity and get to South Korea or Japan. Baek and IOM stated that the Vietnamese government generally does not take much note of North Korean refugees unless they cause a disturbance or generate "political difficulty" by attempting to apply for refugee status or asylum while in Vietnam. In that case, they said, the North Koreans would be returned to the country from which they entered Vietnam, meaning China.

6. (SBU) Vietnamese border officials in Mong Cai, a crossing point into China, confirmed the GVN's policy to Poloff during a visit there October 2. When asked what they would do if they encountered North Korean refugees at the border, the police said they would return them to China "in accordance with Vietnamese laws." The office of UNHCR in Hanoi noted that North Koreans who come to UNHCR in Hanoi to seek refugee status would receive the same treatment from UNHCR as any other nationality, but would have to contend with the fact that the GVN will allow them to stay in Vietnam only if they have proper and current immigration documents.

7. (SBU) The reality is less harsh than the law, noted Baek. If the refugees do not stop or draw attention to themselves, he said, they can pass through Vietnam and into Cambodia without being molested. "Korean church groups" and "charities" helped the refugees along the way to UNHCR offices in Phnom Penh and Bangkok, he said.

BUT ARE THEY REALLY NORTH KOREANS?

18. (SBU) Baek noted that there is one other dimension to the issue of North Koreans in Vietnam. The reception given to successful refugees, particularly in South Korea and Japan, has motivated ethnic Koreans of Chinese nationality to pretend to be North Koreans in order to procure the benefits they perceive the actual DPRK refugees as receiving, he said. The actual trip from North Korea to Vietnam is so difficult and expensive, he added, that it was virtually impossible to accomplish without assistance and almost never attempted alone. As a result, genuine North Korean refugees were well aware of the dangers of coming to the "official attention" of the GVN and therefore did not attempt to contact UNHCR or third-country Embassies. He said that the ROK Embassy in Hanoi had concluded that individuals and groups that attempted to request asylum while in Vietnam were not, in fact, North Korean, but rather ethnically Korean citizens of the PRC from northeastern border regions who were only claiming to be from North Korea. On hearing about the incident at CG HCMC in the early morning of October 14, he said he felt strongly that this was a Chinese national pretending to be North Korean.

19. (SBU) Mission intends to handle any potential DPRK asylum seekers the way it would handle asylum-seekers from any other country, by referring them to the UNHCR office in Hanoi. We are aware, however, that individuals seeking asylum in Vietnam are rarely using legal documentation, and therefore are at high risk of deportation back to their point of entry - in the case of DPRK asylum seekers, China.
BURGHARDT